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7

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-71

13 ELIZABETH T. JORDAN
2173 Crabapple Drive
Tupelo, MS 38801
Registered Nurse License No. 648457

OAH No.

14 **DEFAULT DECISION**
AND ORDER

Respondent.

[Gov. Code, §11520]

15
16 FINDINGS OF FACT

17 1. On or about September 23, 2008, Complainant Ruth Ann Terry, M.P.H.,
18 R.N., in her official capacity as the Executive Officer of the Board of Registered Nursing
19 (Board), Department of Consumer Affairs, filed Accusation No. 2009-71 against Elizabeth T.
20 Jordan (Respondent) before the Board.

21 2. On or about November 22, 2004, the Board issued Registered Nurse
22 License No. 648457 to Respondent. The Registered Nurse License expired on February 28,
23 2006, and has not been renewed.

24 3. On or about October 21, 2008, Carolina Castillo, an employee of the
25 Department of Justice, served by Certified and First Class Mail a copy of the Accusation No.
26 2009-71, Statement to Respondent, 39 copies of the Notice-of-Defense form, Request for
27 Discovery, a copy of Government Code sections 11507.5, 11507.6 and 11507.7, and
28 Recommended Guidelines for Disciplinary Orders and Conditions of Probation to Respondent's

1 address of record with the Board, which was and is: 2173 Crabapple Drive
2 Tupelo, Mississippi 38801. A copy of the Accusation is attached as exhibit A, and is
3 incorporated herein by reference.

4 4. Service of the Accusation was effective as a matter of law under the
5 provisions of Government Code section 11505, subdivision (c).

6 5. On or about October 27, 2008, the aforementioned documents were
7 returned by the U.S. Postal Service marked "NOT DELIVERABLE AS ADDRESSED,
8 UNABLE TO FORWARD."

9 6. Business and Professions Code section 118 states, in pertinent part:

10 (b) The suspension, expiration, or forfeiture by operation of law of a
11 license issued by a board in the department, or its suspension, forfeiture, or
12 cancellation by order of the board or by order of a court of law, or its surrender
13 without the written consent of the board, shall not, during any period in which it
14 may be renewed, restored, reissued, or reinstated, deprive the board of its
authority to institute or continue a disciplinary proceeding against the licensee
upon any ground provided by law or to enter an order suspending or revoking the
license or otherwise taking disciplinary action against the license on any such
ground.

15 7. Government Code section 11506 states, in pertinent part:

16 (c) The respondent shall be entitled to a hearing on the merits if the
17 respondent files a notice of defense, and the notice shall be deemed a specific
18 denial of all parts of the accusation not expressly admitted. Failure to file a notice
of defense shall constitute a waiver of respondent's right to a hearing, but the
agency in its discretion may nevertheless grant a hearing.

19 8. Respondent failed to update her address of record on file with the Board,
20 and accordingly failed to file a Notice of Defense within 15 days after service upon her of the
21 Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2009-71.

22 9. California Government Code section 11520 states, in pertinent part:

23 (a) If the respondent either fails to file a notice of defense or to appear at
24 the hearing, the agency may take action based upon the respondent's express
admissions or upon other evidence and affidavits may be used as evidence without
any notice to respondent.
25

26 10. Pursuant to its authority under Government Code section 11520, the Board
finds Respondent is in default. The Board will take action without further hearing and, based on
27 the evidence on file herein, finds that the allegations in Accusation No. 2009-71 are true.
28

1 11. The total cost for investigation and enforcement in connection with the
2 Accusation are \$2,044.75 as of October 29, 2008.

3
4
5 DETERMINATION OF ISSUES

6 1. Based on the foregoing findings of fact, Respondent Elizabeth T. Jordan
7 has subjected her Registered Nurse License No. 648457 to discipline.

8 2. A copy of the Accusation is attached.

9 3. The agency has jurisdiction to adjudicate this case by default.

10 4. The Board of Registered Nursing is authorized to revoke Respondent's
11 Registered Nurse License based upon the following violations alleged in the Accusation:

12 a. Dangerous Use of Controlled Substances (Bus. & Prof. Code, §
13 2762, subd. (b));

14 b. Unprofessional Conduct (Bus. & Prof. Code, § 2761, subd. (a));
15 and

16 c. Violating Provisions of the Nursing Practice Act (Bus. & Prof.
17 Code, § 2761, subd. (d)).

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22 ORDER

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24 IT IS SO ORDERED that Registered Nurse License No. 648457, heretofore
25 issued to Respondent Elizabeth T. Jordan, is revoked.

26 Pursuant to Government Code section 11520, subdivision (c), Respondent may
27 serve a written motion requesting that the Decision be vacated and stating the grounds relied on
28 within seven (7) days after service of the Decision on Respondent. The agency in its discretion

1 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the
2 statute.

3 This Decision shall become effective on March 13, 2009.

4 It is so ORDERED February 11, 2009

5 *LaTranene W Tate*

6
7 FOR THE BOARD OF REGISTERED NURSING
8 DEPARTMENT OF CONSUMER AFFAIRS
9

10 60361104.wpd

11 DOJ docket number: LA2008600431

12 Attachment:

13 Exhibit A: Accusation No.2009-71
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Exhibit A

Accusation No. 2009-71

1 EDMUND G. BROWN JR., Attorney General
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10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-71

13 ELIZABETH T. JORDAN
2173 Crabapple Drive
14 Tupelo, MS 38801

ACCUSATION

15 Registered Nurse License No. 648457

16 Respondent.
17

18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
22 Department of Consumer Affairs (Board).

23 2. On or about November 22, 2004, the Board issued Registered Nurse
24 License Number 648457 to Elizabeth T. Jordan (Respondent). The Registered Nurse License
25 expired on February 28, 2006, and has not been renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the
28 following laws. All Section references are to the Business and Professions Code unless

1 otherwise indicated.

2 STATUTORY PROVISIONS

3 4. Section 2750 provides, in pertinent part, that the Board may discipline any
4 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
5 in Article 3 (commencing with § 2750) of the Nursing Practice Act.

6 5. Section 2761 states, in pertinent part:

7 "The board may take disciplinary action against a certified or licensed nurse or
8 deny an application for a certificate or license for any of the following:

9 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

10 ...

11 "(d) Violating or attempting to violate, directly or indirectly, or assisting in or
12 abetting the violating of, or conspiring to violate any provision or term of this chapter [the
13 Nursing Practice Act] or regulations adopted pursuant to it."

14 6. Section 2762 states, in pertinent part:

15 "In addition to other acts constituting unprofessional conduct within the meaning
16 of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed
17 under this chapter to do any of the following:

18 ...

19 "(b) Use any controlled substance as defined in Division 10 (commencing with
20 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as
21 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or
22 injurious to himself or herself, any other person, or the public or to the extent that such use
23 impairs his or her ability to conduct with safety to the public the practice authorized by his or her
24 license."

25 7. Section 2764 provides, in pertinent part, that the expiration of a license
26 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
27 licensee or to render a decision imposing discipline on the license. Under section 2811,
28 subdivision (b) of the Code, the Board may renew an expired license at any time within eight

1 years after the expiration.

2 COST RECOVERY

3 8. Section 125.3 provides, in pertinent part, that the Board may request the
4 administrative law judge to direct a licensee found to have committed a violation or violations
5 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
6 enforcement of the case.

7 FIRST CAUSE FOR DISCIPLINE

8 (Dangerous Use of Controlled Substances)

9 9. Respondent is subject to disciplinary action under Code section 2762,
10 subdivision (b), in that Respondent used controlled substances in a manner dangerous to herself
11 and others. On or about August 10, 2005, Respondent was given a drug screen by her employer,
12 Trustaff, of Cincinnati, Ohio. Respondent's drug test was positive for amphetamines, cocaine,
13 and barbiturates.

14 SECOND CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct)

16 10. Respondent is subject to disciplinary action under Code section 2761,
17 subdivision (a), as of a result of engaging in unprofessional conduct. Specifically, while working
18 for Trustaff, in or about August 2005, Respondent missed her orientation day, was tardy several
19 times, and engaged in inappropriate behavior, such as relating personal problems to patients and
20 their visitors. Complainant refers to, and by this reference incorporates, the allegations set forth
21 above in paragraph 9, inclusive, as though set forth fully.

22 THIRD CAUSE FOR DISCIPLINE

23 (Violating Provisions of the Nursing Practice Act)

24 11. Respondent is subject to disciplinary action pursuant to Code section
25 2761, subdivision (d) for violating provisions of the Nursing Practice Act (Code § 2750 *et seq.*).
26 Complainant refers to, and by this reference incorporates, the allegations set forth above in
27 paragraph 9, inclusive, as though set forth fully.


28 ///

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Registered Nurse License Number 648457, issued to Respondent;
2. Ordering Respondent to pay the Board reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 9/23/08


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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8 Attorneys for Complainant

9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2009-200

13 **MONIQUE HOCHSTAFL,**
14 **a.k.a. MONIQUE PRIDEAUX**
15 1528 Lyonia
Oxnard, CA 93030

A C C U S A T I O N

16 Registered Nurse License No. 570965

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about August 25, 2000, the Board issued Registered Nurse License
24 Number 570965 to Monique Hochstafl, also known as Monique Prideaux ("Respondent").
25 Respondent's registered nurse license was in full force and effect at all times relevant to the
26 charges brought herein and will expire on December 31, 2009, unless renewed.

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4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

6. Code section 2762 states, in pertinent part:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

• • • •

7. Code section 4060 states, in pertinent part:

2

1 manufacturer, wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist,
2 optometrist, veterinarian, naturopathic doctor, certified nurse-midwife, nurse
3 practitioner, or physician assistant, when in stock in containers correctly
labeled with the name and address of the supplier or producer . . .

4 8. Health and Safety ("Health and Saf.") Code section 11170 states that no
5 person shall prescribe, administer, or furnish a controlled substance for himself.

6 9. Health and Saf. Code section 11173, subdivision (a), states, in pertinent
7 part, that "[n]o person shall obtain or attempt to obtain controlled substances, or procure or
8 attempt to procure the administration of or prescription for controlled substances, (1) by fraud,
9 deceit, misrepresentation, or subterfuge . . ."

10 COST RECOVERY

11 10. Code section 125.3 provides, in pertinent part, that the Board may request
12 the administrative law judge to direct a licentiate found to have committed a violation or
13 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
14 and enforcement of the case.

15 CONTROLLED SUBSTANCES AT ISSUE

16 11. "**Clonazepam**" is a Schedule IV controlled substance as designated by
17 Health and Saf. Code section 11057, subdivision (d)(7).

18 12. "**Hydromorphone**" is a Schedule II controlled substance as designated by
19 Health and Saf. Code section 11055, subdivision (b)(1)(K).

20 13. "**Lortab**", a combination drug containing hydrocodone bitartrate and
21 acetaminophen, is a Schedule III controlled substance as designated by Health and Saf. Code
22 section 11056, subdivision (e)(4).

23 14. "**Morphine**" is a Schedule II controlled substance as designated by Health
24 and Saf. Code section 11055, subdivision (b)(1)(M).

25 15. "**Norco**" is a combination drug containing hydrocodone bitartrate and
26 acetaminophen and is a Schedule III controlled substance as designated by Health and Saf. Code
27 section 11056, subdivision (e)(4).

28 ///

1 16. **“Oxycodone”** is a Schedule II controlled substance as designated by
2 Health and Saf. Code section 11055, subdivision (b)(1)(N), and a dangerous drug pursuant to
3 Code section 4022.

4 17. **“Percocet,”** a brand of oxycodone, is a Schedule II controlled substance as
5 designated by Health and Saf. Code section 11055, subdivision (b)(1)(N).

6 18. **“Vicodin”** is a compound consisting of 5 mg. hydrocodone bitartrate also
7 known as dihydrocodeinone, a Schedule III controlled substance as designated by Health and Saf.
8 Code section 11056, subdivision (e)(4), and 500 mg. acetaminophene per tablet.

9 19. **“Zolpidem”** is a controlled substance as defined in Health and Saf. Code
10 section 11057, subdivision (d).

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Diversion and Possession of Controlled Substances)**

13 20. Respondent is subject to disciplinary action pursuant to Code section
14 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section
15 2762, subdivision (a), in that on or about and between January 1, 2006, and February 28, 2006,
16 while on duty as a registered nurse in the Emergency Department (“ED”) at Sharp Memorial
17 Hospital (“SMH”), San Diego, California, Respondent did the following:

18 **Diversion of Controlled Substances:**

19 a. Respondent obtained the controlled substances Clonazepam,
20 Hydromorphone, Lortab, Morphine, Norco, Oxycodone, Percocet, Vicodin, and Zolpidem by
21 fraud, deceit, misrepresentation, or subterfuge, in violation of Health and Safety Code section
22 11173, subdivision (a), as follows: On or about and between January 1, 2006, and February 28,
23 2006, Respondent removed varying quantities of Clonazepam, Hydromorphone, Lortab,
24 Morphine, Norco, Oxycodone, Percocet, Vicodin, and Zolpidem under the names of multiple
25 patients from the Pyxis (a computerized medication system) when the quantities of the
26 medications removed were in excess of the doses ordered by the patients’ physicians or
27 Respondent was not assigned to care for the patients. Further, Respondent failed to chart the
28 administration or wastage or otherwise account for the disposition of the Clonazepam,

Hydromorphone, Lortab, Morphine, Norco, Oxycodone, Percocet, Vicodin, and Zolpidem in the Medication Administration Record ("MAR") or Nurse's Notes/Flowsheet ("NNF") to conceal her diversion of the medications, as more particularly set forth in paragraph 21 below.

Possession of Controlled Substances:

b. On the dates indicated above, Respondent possessed unknown quantities of the controlled substances Clonazepam, Hydromorphone, Lortab, Morphine, Norco, Oxycodone, Percocet, Vicodin, and Zolpidem without a valid prescription from a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor, in violation of Code section 4060.

SECOND CAUSE FOR DISCIPLINE

(False Entries in Hospital/Patient Records)

21. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762, subdivision (e), in that on or about and between January 1, 2006, and February 28, 2006, while on duty as a registered nurse in the ED at SMH, San Diego, California, Respondent falsified, or made grossly incorrect, grossly inconsistent, or unintelligible entries in hospital, patient, or other records pertaining to the controlled substances Clonazepam, Hydromorphone, Lortab, Morphine, Norco, Oxycodone, Percocet, Vicodin, and Zolpidem, as follows:

a. On January 1, 2006, at 0025 hours, Respondent withdrew two tablets of Vicodin from the Pyxis under patient J1's name. Respondent then removed two additional tablets each time at 0508 and 0557 hours. Respondent charted the administration of two Vicodin tablets at 0500, but failed to chart the administration or wastage of the remaining four tablets in the patient's MAR or NNF or otherwise account for the disposition of the medication.

b. On January 13, 2006, at 1944 hours and January 14, 2006, at 0404 hours, Respondent withdrew two tablets of Percocet each time from the Pyxis under patient J2's name. Respondent failed to chart the administration or wastage of the four Percocet tablets in the patient's MAR or NNF or otherwise account for the disposition of the medication.

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1 c. On January 29, 2006, at 0013 hours, Respondent withdrew two tablets of
2 Vicodin from the Pyxis under patient J3's name. Respondent then removed two additional tablets
3 at 0317 hours. Respondent charted the administration of two Vicodin tablets at 0300, but failed
4 to chart the administration or wastage of the remaining two tablets in the patient's MAR or NNF
5 or otherwise account for the disposition of the medication.

6 d. On January 27, 2006, at 2335 hours, Respondent withdrew two tablets of
7 Oxycodone from the Pyxis under patient J5's name. Respondent then removed two additional
8 tablets each time at 2340 hours on January 27, 2006, and 0209 and 0404 hours on January 28,
9 2006. Respondent charted the administration of two Oxycodone tablets each time at 0000 and
10 0400 hours on January 28, 2006, but failed to chart the administration or wastage of the
11 remaining four tablets in the patient's MAR or NNF or otherwise account for the disposition of
12 the medication.

13 e. On January 14, 2006, at 0323 hours, Respondent withdrew two tablets of
14 Percocet from the Pyxis under patient J6's name. Respondent failed to chart the administration or
15 wastage of the two Percocet tablets in the patient's MAR or NNF or otherwise account for the
16 disposition of the medication.

17 f. On January 26, 2006, at 1926 hours, Respondent withdrew two tablets of
18 Percocet from the Pyxis under patient J7's name. Respondent then removed two additional
19 tablets each time at 2031 and 2046 hours on January 26, 2006; 2029 hours on January 27, 2006;
20 and 0209, 2003, and 2023 hours on January 28, 2006. Respondent charted the administration of
21 two Percocet tablets each time at 2100 hours on January 26, 2006, January 27, 2006, and January
22 28, 2006, but failed to chart the administration or wastage of the remaining eight tablets in the
23 patient's MAR or NNF or otherwise account for the disposition of the medication.

24 g. On January 30, 2006, at 2105 hours, Respondent withdrew two tablets of
25 Percocet from the Pyxis under patient J9's name. Respondent then removed two additional
26 tablets at 2107 hours. Respondent charted the administration of two Percocet tablets at 2100
27 hours, but failed to chart the administration or wastage of the remaining two tablets in the
28 patient's MAR or NNF or otherwise account for the disposition of the medication.

1 h. On January 10, 2006, at 0240 hours, Respondent withdrew two tablets of
2 Vicodin from the Pyxis under patient J11's name. Respondent then removed two additional
3 tablets at 2204 hours. Respondent charted the administration of two Vicodin tablets at 0300
4 hours, but failed to chart the administration or wastage of the remaining two tablets in the
5 patient's MAR or NNF or otherwise account for the disposition of the medication.

6 i. On January 23, 2006, at 2325 hours, Respondent withdrew two tablets of
7 Percocet from the Pyxis under patient J15's name. Respondent then removed an additional tablet
8 of Percocet each time at 2332 and 2333 hours. Respondent failed to chart the administration or
9 wastage of the four Percocet tablets in the patient's MAR or NNF or otherwise account for the
10 disposition of the medication.

11 j. On January 26, 2006, at 2014 hours, Respondent withdrew two tablets of
12 Vicodin from the Pyxis under patient J16's name. Respondent then removed two additional
13 tablets each time at 2025 hours on January 26, 2006, and 2310 hours on January 27, 2006.
14 Respondent charted the administration of one tablet of Vicodin each time at 2100 hours on
15 January 26, 2006, and 2300 hours on January 27, 2006, but failed to chart the administration or
16 wastage of the four remaining tablets in the patient's MAR or NNF or otherwise account for the
17 disposition of the medication.

18 k. On January 30, 2006, at 2331 hours, Respondent withdrew one tablet of
19 Zolpidem from the Pyxis under patient J18's name. Respondent failed to chart the administration
20 or wastage of the Zolpidem tablet in the patient's MAR or NNF or otherwise account for the
21 disposition of the medication.

22 l. On January 13, 2006, at 1955 hours, Respondent withdrew two tablets of
23 Percocet from the Pyxis under patient J21's name. Respondent then removed two additional
24 tablets each time at 2350 and 2352 hours on January 13, 2006, and 0412 and 0416 hours on
25 January 14, 2006. Respondent charted the administration of two tablets of Percocet each time at
26 0000 and 0400 hours on January 14, 2006, but failed to chart the administration or wastage of the
27 six remaining tablets in the patient's MAR or NNF or otherwise account for the disposition of
28 the medication.

1 m. On January 23, 2006, at 2149 hours, Respondent withdrew two tablets of
2 Vicodin from the Pyxis under patient J22's name. Respondent then removed two additional
3 tablets at 2205 hours. Respondent charted the administration of two Vicodin tablets at 2100
4 hours, but failed to chart the administration or wastage of the remaining two tablets in the
5 patient's MAR or NNF or otherwise account for the disposition of the medication.

6 n. On January 9, 2006, at 2046 hours, Respondent withdrew two tablets of
7 Percocet from the Pyxis under patient J23's name. Respondent then removed two additional
8 tablets each time at 2048 and 2348 hours on January 9, 2006; 0300, 0545, 0606, 2023, and 2358
9 hours on January 10, 2006; and 0200, 0503, and 0507 hours on January 11, 2006. Respondent
10 charted the administration of two Percocet tablets each time at 2045 hours on January 9, 2006;
11 0000, 0600, and 2100 hours on January 10, 2006; and 0000 and 0500 hours on January 11, 2006,
12 but failed to chart the administration or wastage of the remaining ten tablets in the patient's MAR
13 or NNF or otherwise account for the disposition of the medication.

14 o. On January 18, 2006, at 2123 hours, Respondent withdrew two tablets of
15 Percocet from the Pyxis under patient J23's name. Respondent then removed two additional
16 tablets each time at 2150 hours on January 18, 2006, and 0047, 0325, 0640, 2015, 2309, and
17 2312 hours on January 19, 2006. Respondent charted the administration of two Percocet tablets
18 each time at 2100 hours on January 18, 2006; 0300, 0645, and 2100 hours on January 19, 2006;
19 and 0230 hours on January 20, 2006, but failed to chart the administration or wastage of the
20 remaining six tablets in the patient's MAR or NNF or otherwise account for the disposition of
21 the medication.

22 p. On January 19, 2006, at 0450 hours, Respondent withdrew five milliliters
23 of Oxycodone IR Solution from the Pyxis under patient J26's name. Respondent then removed
24 an additional five milliliters each time at 0625 and 2344 hours on January 19, 2006. Respondent
25 charted the administration of five milliliters of Oxycodone IR Solution at 0630 hours on January
26 19, 2006, but failed to chart the administration or wastage of the remaining ten milliliters in the
27 patient's MAR or NNF or otherwise account for the disposition of the medication.
28

1 q. On January 31, 2006, at 0437 hours, Respondent withdrew two tablets of
2 Lortab from the Pyxis under patient J28's name. Respondent failed to chart the administration or
3 wastage of the two Lortab tablets in the patient's MAR or NNF or otherwise account for the
4 disposition of the medication.

5 r. On January 28, 2006, at 2128 hours, Respondent withdrew two tablets of
6 Percocet from the Pyxis under patient J29's name. Respondent then removed two additional
7 tablets at 2146 hours. Respondent charted the administration of two tablets of Percocet at 2200
8 hours, but failed to chart the administration or wastage of the remaining two tablets in the
9 patient's MAR or NNF or otherwise account for the disposition of the medication.

10 s. On January 30, 2006, at 2017 hours, Respondent withdrew two tablets of
11 Vicodin from the Pyxis under patient J30's name. Respondent then removed two additional
12 tablets each time at 2038 hours on January 30, 2006, and 0056 and 0459 hours on January 31,
13 2006. Respondent charted the administration of two tablets each time at 2000 hours on January
14 30, 2006, and 0500 hours on January 31, 2006, but failed to chart the administration or wastage
15 of the remaining six tablets in the patient's MAR or NNF or otherwise account for the
16 disposition of the medication.

17 t. On January 4, 2006, at 2115 hours, Respondent withdrew two tablets of
18 Percocet from the Pyxis under patient J31's name. Respondent then removed two additional
19 tablets each time at 2231 hours on January 4, 2006, and 0252 and 2116 hours on January 5, 2006.
20 Respondent charted the administration of two tablets each time at 2230 hours on January 4, 2006,
21 and 0300 hours on January 5, 2006, but failed to chart the administration or wastage of the
22 remaining four tablets in the patient's MAR or NNF or otherwise account for the disposition of
23 the medication.

24 u. On January 2, 2006, at 2037 hours, Respondent withdrew two tablets of
25 Vicodin from the Pyxis under patient J32's name. Respondent then removed two additional
26 tablets each time at 0210, 0413, and 0421 hours on January 3, 2006. Respondent charted the
27 administration of one tablet of Vicodin at 2100 hours on January 2, 2006, and two tablets at 0420

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1 hours on January 3, 2006, but failed to chart the administration or wastage of the remaining five
2 tablets in the patient's MAR or NNF or otherwise

3 v. On February 14, 2006, at 0641 hours, Respondent withdrew three tablets
4 of Morphine SR30 from the Pyxis under patient F1's name. Respondent failed to chart the
5 administration or wastage of the three tablets of Morphine SR30 in the patient's MAR or NNF or
6 otherwise account for the disposition of the medication. Further, the patient was located on the
7 seventh floor of SMH and Respondent was assigned to, and removed the medication from, the
8 sixth floor.

9 w. On February 17, 2006, at 0538 hours, Respondent withdrew two tablets of
10 Vicodin from the Pyxis under patient F2's name. Respondent failed to chart the administration or
11 wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for the
12 disposition of the medication.

13 x. On February 25, 2006, at 2217 hours, Respondent withdrew two tablets of
14 Percocet from the Pyxis under patient F3's name. Respondent failed to chart the administration
15 or wastage of the two tablets of Percocet in the patient's MAR or NNF or otherwise account for
16 the disposition of the medication.

17 y. On February 1, 2006, at 2014 hours, Respondent withdrew two tablets of
18 Percocet from the Pyxis under patient F7's name. Respondent then removed two additional
19 tablets each time at 2030 and 2319 hours on February 1, 2006, and one additional tablet each
20 time at 0413 and 0659 hours on February 2, 2006. Respondent charted the administration of one
21 tablet at 2000 hours on February 1, 2006, but failed to chart the administration or wastage of the
22 remaining seven tablets in the patient's MAR or NNF or otherwise account for the disposition of
23 the medication.

24 z. On February 28, 2006, at 0618 hours, Respondent withdrew two tablets of
25 Percocet from the Pyxis under patient F8's name. Respondent then removed two additional
26 tablets at 0623 hours. Respondent failed to chart the administration or wastage of the four tablets
27 of Percocet in the patient's MAR or NNF or otherwise account for the disposition of the
28 medication.

1 aa. On February 26, 2006, at 0524 hours, Respondent withdrew two tablets of
2 Norco from the Pyxis under patient F9's name. Respondent failed to chart the administration or
3 wastage of the two tablets of Percocet in the patient's MAR or NNF or otherwise account for the
4 disposition of the medication.

5 bb. On February 28, 2006, at 0141 hours, Respondent withdrew two tablets of
6 Vicodin from the Pyxis under patient F11's name. Respondent failed to chart the administration
7 or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for
8 the disposition of the medication.

9 cc. On February 5, 2006, at 2111 hours, Respondent withdrew two tablets of
10 Vicodin from the Pyxis under patient F13's name. Respondent then removed two additional
11 tablets each time at 2119 hours on February 5, 2006, and 0009, 0016, 0435, and 0537 hours on
12 February 6, 2006. Respondent charted the administration of two tablets each time at 2120 hours
13 on February 5, 2006, and 0500 hours on February 6, 2006, but failed to chart the administration
14 or wastage of the remaining eight tablets in the patient's MAR or NNF or otherwise account for
15 the disposition of the medication.

16 dd. On February 13, 2006, at 2042 hours, Respondent withdrew two tablets of
17 Percocet from the Pyxis under patient F14's name. Respondent then removed two additional
18 tablets each time at 2338 and 2343 hours on February 13, 2006, and 0414 and 0419 hours on
19 February 14, 2006. Respondent charted the administration of two tablets each time at 2000 hours
20 on February 13, 2006, and 0400 hours on February 14, 2006, but failed to chart the
21 administration or wastage of the remaining six tablets in the patient's MAR or NNF or otherwise
22 account for the disposition of the medication.

23 ee. On February 14, 2006, at 0613 hours, Respondent withdrew four tablets
24 of Oxycodone from the Pyxis under patient F16's name. Respondent then removed four
25 additional tablets each time at 0615 hours on February 14, 2006; 1949, 2101, and 2110 hours on
26 February 15, 2006; 0432 and 2127 hours on February 16, 2006; and 0049, 0053, and 0647 hours
27 on February 17, 2006. Respondent charted the administration of four tablets each time at 2100
28 hours on February 15, 2006, and 0100 hours on February 17, 2006, but failed to chart the

1 administration or wastage of the remaining thirty-two tablets in the patient's MAR or NNF or
2 otherwise account for the disposition of the medication.

3 ff. On February 16, 2006, at 0432 hours, Respondent withdrew one tablet of
4 Hydromorphone from the Pyxis under patient F16's name. Respondent then removed one
5 additional tablet each time at 2127 hours on February 16, 2006, and 0647:03 and 0647:56 hours
6 on February 17, 2006. Respondent failed to chart the administration or wastage of the four
7 tablets of Hydromorphone in the patient's MAR or NNF or otherwise account for the disposition
8 of the medication.

9 gg. On February 16, 2006, at 2126 hours, Respondent withdrew two tablets of
10 Clonazepam from the Pyxis under patient F16's name. Respondent failed to chart the
11 administration or wastage of the two tablets of Clonazepam in the patient's MAR or NNF or
12 otherwise account for the disposition of the medication.

13 hh. On February 21, 2006, at 1954 hours, Respondent withdrew two tablets of
14 Percocet from the Pyxis under patient F17's name. Respondent then removed two additional
15 tablets each time at 2010 and 2353 hours on February 21, 2006, and 0335 and 0436 hours on
16 February 22, 2006. Respondent charted the administration of two tablets of Percocet each time at
17 2030 hours on February 21, 2006, and 0400 hours on February 22, 2006, but failed to chart the
18 administration or wastage of the remaining six tablets in the patient's MAR or NNF or otherwise
19 account for the disposition of the medication.

20 ii. On February 6, 2006, at 0010 hours, Respondent withdrew two tablets of
21 Vicodin from the Pyxis under patient F18's name. Respondent then removed two additional
22 tablets each time at 0016 and 0612 hours. Respondent charted the administration of two tablets
23 of Vicodin each time at 0030 and 0615 hours, but failed to chart the administration or wastage of
24 the remaining two tablets in the patient's MAR or NNF or otherwise account for the disposition
25 of the medication.

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1 jj. On February 20, 2006, at 2353 hours, Respondent withdrew two tablets of
2 Norco from the Pyxis under patient F19's name. Respondent failed to chart the administration or
3 wastage of the two tablets of Norco in the patient's MAR or NNF or otherwise account for the
4 disposition of the medication.

5 kk. On February 10, 2006, at 0106 hours, Respondent withdrew two tablets of
6 Vicodin from the Pyxis under patient F20's name. Respondent then removed two additional
7 tablets at 0519 hours. Respondent charted the administration of two tablets of Vicodin at 0115
8 hours, but failed to chart the administration or wastage of the remaining two tablets in the
9 patient's MAR or NNF or otherwise account for the disposition of the medication.

10 ll. On February 25, 2006, at 1940 hours, Respondent withdrew two tablets of
11 Lortab from the Pyxis under patient F21's name. Respondent failed to chart the administration or
12 wastage of the two tablets of Lortab in the patient's MAR or NNF or otherwise account for the
13 disposition of the medication. Further, the patient was located on the seventh floor of the
14 hospital and Respondent was assigned to, and removed the medication from, the sixth floor.

15 mm. On February 28, 2006, at 0535:36 hours, Respondent withdrew two tablets
16 of Percocet from the Pyxis under patient F22's name. Respondent then removed two additional
17 tablets at 0535:52 hours. Respondent failed to chart the administration or wastage of the four
18 tablets of Percocet in the patient's MAR or NNF or otherwise account for the disposition of the
19 medication. Further, the patient was located on the seventh floor of the hospital and Respondent
20 was assigned to, and removed the medication from, the sixth floor.

21 nn. On February 21, 2006, at 1955 hours, Respondent withdrew two tablets of
22 Percocet from the Pyxis under patient F23's name. Respondent failed to chart the administration
23 or wastage of the two tablets of Percocet in the patient's MAR or NNF or otherwise account for
24 the disposition of the medication.

25 oo. On February 22, 2006, at 0334 hours, Respondent withdrew two tablets of
26 Vicodin from the Pyxis under patient F23's name. Respondent failed to chart the administration
27 or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for
28 the disposition of the medication.

1 pp. On February 1, 2006, at 2100 hours, Respondent withdrew two tablets of
2 Percocet from the Pyxis under patient F24's name. Respondent then withdrew two additional
3 tablets each time at 2108 hours on February 1, 2006, and 0057 and 0422 hours on February 2,
4 2006. Respondent charted the administration of two tablets of Percocet each time at 2100 hours
5 on February 1, 2006, and 0430 hours on February 2, 2006, but failed to chart the administration
6 or wastage of the remaining four tablets in the patient's MAR or NNF or otherwise account for
7 the disposition of the medication.

8 qq. On February 21, 2006, at 0215 hours, Respondent withdrew two tablets of
9 Vicodin from the Pyxis under patient F25's name. Respondent failed to chart the administration
10 or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for
11 the disposition of the medication. Further, the patient was located on the seventh floor of the
12 hospital and Respondent was assigned to, and removed the medication from, the sixth floor.

13 rr. On February 20, 2006, at 2050 hours, Respondent withdrew two tablets of
14 Percocet from the Pyxis under patient F26's name. Respondent failed to chart the administration
15 or wastage of the two tablets of Percocet in the patient's MAR or NNF or otherwise account for
16 the disposition of the medication. Further, the patient was located on the seventh floor of the
17 hospital and Respondent was assigned to, and removed the medication from, the sixth floor.

18 ss. On February 14, 2006, at 0055 hours, Respondent withdrew two tablets of
19 Vicodin from the Pyxis under patient F29's name. Respondent failed to chart the administration
20 or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for
21 the disposition of the medication.

22 tt. On February 6, 2006, at 0157 hours, Respondent withdrew two tablets of
23 Percocet from the Pyxis under patient F30's name. Respondent then withdrew two additional
24 tablets at 0200 hours. Respondent charted the administration of two tablets of Percocet at 0200
25 hours, but failed to chart the administration or wastage of the remaining two tablets in the
26 patient's MAR or NNF or otherwise account for the disposition of the medication.

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1 uu. On February 17, 2006, at 0535 hours, Respondent withdrew one tablet of
2 Vicodin from the Pyxis under patient F31's name. Respondent then removed two additional
3 tablets at 0537 hours. Respondent failed to chart the administration or wastage of the three
4 tablets of Vicodin in the patient's MAR or NNF or otherwise account for the disposition of the
5 medication.

6 vv. On February 24, 2006, at 2009 hours, Respondent withdrew two tablets of
7 Vicodin from the Pyxis under patient F32's name. Respondent failed to chart the administration
8 or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for
9 the disposition of the medication.

10 ww. On February 11, 2006, at 2041 hours, Respondent withdrew two tablets of
11 Percocet from the Pyxis under patient F33's name. Respondent then removed two additional
12 tablets each time at 2354 hours on February 11, 2006, and 0456 and 0500 hours on February 12,
13 2006. Respondent charted the administration of two tablets of Percocet each time at 2030 hours
14 on February 11, 2006, and 0500 hours on February 12, 2006, but failed to chart the
15 administration or wastage of the remaining four tablets in the patient's MAR or NNF or
16 otherwise account for the disposition of the medication.

17 xx. On February 24, 2006, at 2111 hours, Respondent withdrew two tablets of
18 Lortab from the Pyxis under patient F34's name. Respondent failed to chart the administration or
19 wastage of the two tablets of Lortab in the patient's MAR or NNF or otherwise account for the
20 disposition of the medication. Further, the patient was located on the seventh floor of the
21 hospital and Respondent was assigned to, and removed the medication from, the sixth floor.

22 yy. On February 7, 2006, at 2121 hours, Respondent withdrew two tablets of
23 Vicodin from the Pyxis under patient F35's name. Respondent failed to chart the administration
24 or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for
25 the disposition of the medication.

26 zz. On February 20, 2006, at 2205 hours, Respondent withdrew one 30 mg
27 tablet of Morphine from the Pyxis under patient F37's name. Respondent failed to chart the
28 administration or wastage of the Morphine tablet of in the patient's MAR or NNF or otherwise

1 account for the disposition of the medication. Further, the patient was located on the seventh
2 floor of the hospital and Respondent was assigned to, and removed the medication from, the
3 sixth floor.

4 aaa. On February 22, 2006, at 0503 hours, Respondent withdrew three 15 mg
5 tablets of Morphine from the Pyxis under patient F37's name. Respondent failed to chart the
6 administration or wastage of the three tablets of Morphine in the patient's MAR or NNF or
7 otherwise account for the disposition of the medication. Further, the patient was located on the
8 seventh floor of the hospital and Respondent was assigned to, and removed the medication from,
9 the sixth floor.

10 bbb. On February 24, 2006, at 2109 hours, Respondent withdrew three 15 mg
11 tablets of Morphine from the Pyxis under patient F37's name. Respondent then removed three
12 additional tablets at 2132 hours. Respondent failed to chart the administration or wastage of the
13 three tablets of Morphine in the patient's MAR or NNF or otherwise account for the disposition
14 of the medication. Further, the patient was located on the seventh floor of the hospital and
15 Respondent was assigned to, and removed the medication from, the sixth floor.

16 ccc. On February 27, 2006, at 2218 hours, Respondent withdrew one 60 mg
17 tablet of Morphine from the Pyxis under patient F37's name. Respondent failed to chart the
18 administration or wastage of the Morphine tablet in the patient's MAR or NNF or otherwise
19 account for the disposition of the medication. Further, the patient was located on the seventh
20 floor of the hospital and Respondent was assigned to, and removed the medication from, the
21 sixth floor.

22 ddd. On February 8, 2006, at 0012 hours, Respondent withdrew 15 mg of
23 Oxycodone from the Pyxis under patient F38's name. Respondent then removed an additional 15
24 mg each time at 0104 and 0616 hours. Respondent charted the administration of 15 mg of
25 Oxycodone at 0015 hours, but failed to chart the administration or wastage of the remaining 30
26 mg in the patient's MAR or NNF or otherwise account for the disposition of the medication.

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eee. On February 24, 2006, at 2112 hours, Respondent withdrew two tablets of Lortab from the Pyxis under patient F39's name. Respondent failed to chart the administration or wastage of the two tablets of Lortab in the patient's MAR or NNF or otherwise account for the disposition of the medication. Further, the patient was located on the seventh floor of the hospital and Respondent was assigned to, and removed the medication from, the sixth floor.

fff. On February 21, 2006, at 0158 hours, Respondent withdrew two tablets of Percocet from the Pyxis under patient F40's name. Respondent then removed two additional tablets each time at 0232 and 0531 hours. Respondent charted the administration of two tablets of Percocet each time at 0200 and 0600 hours, but failed to chart the administration or wastage of the remaining two tablets in the patient's MAR or NNF or otherwise account for the disposition of the medication.

ggg. On February 28, 2006, at 0611 hours, Respondent withdrew two tablets of Vicodin from the Pyxis under patient F41's name. Respondent then removed two additional tablets at 0613 hours. Respondent charted the administration of two tablets at 0600 hours, but failed to chart the administration or wastage of the remaining two tablets in the patient's MAR or NNF or otherwise account for the disposition of the medication.

hhh. On February 21, 2006, at 2354 hours, Respondent withdrew two tablets of Vicodin from the Pyxis under patient F42's name. Respondent failed to chart the administration or wastage of the two tablets of Vicodin in the patient's MAR or NNF or otherwise account for the disposition of the medication. Further, the patient was located on the seventh floor of the hospital and Respondent was assigned to, and removed the medication from, the sixth floor.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 570965, issued to Monique Hochstafl, also known as Monique Prideaux;


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1 2. Ordering Monique Hochstafl, also known as Monique Prideaux, to pay the
2 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
3 case, pursuant to Business and Professions Code section 125.3; and

4 3. Taking such other and further action as deemed necessary and proper.
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6 DATED: 3/16/09
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9 RUTH ANN TERRY, M.P.H., R.N.
10 Executive Officer
11 Board of Registered Nursing
12 Department of Consumer Affairs
13 State of California
14 Complainant
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